



CITY OF DANBURY
155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

PLANNING COMMISSION
www.danbury-ct.gov

(203) 797-4525
(203) 797-4586 (FAX)

MINUTES
APRIL 20, 2022

The web-based meeting hosted on Zoom was called to order by Chairman Arnold Finaldi Jr. at 7:30 PM.

Present were Robert Chiocchio, Helen Hoffstaetter, Perry Salvagne, and Arnold Finaldi Jr. Also present was Deputy Planning Director Jennifer Emminger and Planning Department Intern Allie Smith.

Absent were Alternates Kevin Haas and Gary Renz.

Chairman Finaldi noted that they do have a vacant seat as no one has been appointed yet to take Mr. Urice's place. He also said that under Other Matters, they need to add nomination and election of Vice-Chairman.

Mrs. Hoffstaetter made a motion to accept the April 6, 2022 minutes. Mr. Salvagne seconded the motion and it was passed unanimously by voice vote with four ayes (from Mr. Chiocchio, Mrs. Hoffstaetter, Mr. Salvagne, and Chairman Finaldi).

Chairman Finaldi noted that the next regular meeting is scheduled for May 4, 2022 at 7:30 PM.

PUBLIC HEARINGS:

100 Mill Plain Investors LLC – Application for Revised Special Exception/Revised Site Plan Approval for Conversion of Professional Office Space to Medical Office Space (Dr. Shweta, DDS) in the CA-80 Zone – 100 Mill Plain Road (C14058) – SE #728.

Chairman Finaldi read the legal notice regarding this application. Architect Doug McMillan from Ridgefield spoke in favor of this application. He said the Planning Department staff report dated April 18, 2022 really covers what they are proposing for this site. There are no external changes proposed, all of the work is internal. This application is for a simple change of use from business office to a medical office of approximately 2600 sq.ft. This Commission previously granted approvals in 2013 & 2014 for other medical offices of approximately 2,500 sq.ft. each in this building. This property consists of about four acres

with an almost 72,000 sq.ft. four-story office building in the CA-80 zone. New England Land Surveying has updated the parking table on the site plan and there is adequate on-site parking for the business and medical office uses.

Chairman Finaldi asked if there was anyone to speak in opposition to this application and there was no one.

Mrs. Emminger said medical offices are a special exception use in the CA-80 zone and still with this change, the average vehicle trips per day are about 485, which does not require a traffic study or approval for trip generation.

Mr. Chioocchio made a motion to close the public hearing. Mrs. Hoffstaetter seconded the motion and it was passed unanimously by voice vote with four ayes. Mr. Salvagne then made a motion to move this to item two under the Old Business on tonight's agenda so they can give Mrs. Emminger guidance to prepare a draft resolution for the next meeting. Mr. Chioocchio seconded the motion and it was passed unanimously by voice vote with four ayes.

Laurel Draper - Application for Special Exception/Site Plan Approval for Self Storage ("Modern Self Storage") in the IL-40 Zone - 12 Great Pasture Road (L16010) – SE #782.

Chairman Finaldi read the legal notice regarding this application. Attorney Neil Marcus spoke in favor of this application saying this application does not need a lot of introduction as the Commission has heard it before. He added that he thinks Mr. Mazzucco's plans addresses the comments. He said this is a state of the art facility which will be good for the City.

Mike Mazzucco PE, said the previous application was withdrawn because of an encroachment on the wetland boundary. This application has not changed, they are still proposing to construct a 59,084 sq.ft. self-storage facility on the subject property. There have been two previous applications filed for this, but both had to be withdrawn for administrative reasons. He said they submitted a letter with this application requesting that all of the information received during the most recent public hearing be incorporated into this record. This site is located within 500 feet of the Town of Bethel so notice was sent to the Bethel Town Clerk's office. He said there was a variance granted in May 2021 for the side yard and front yard setbacks. There currently is a single family dwelling and a detached garage on the property. In addition to constructing a new three-story self-storage facility, they are proposing to demo the garage and a portion of the dwelling, and to remodel a portion of the dwelling to be used as a business office. This business will be served by a septic system and the water main from Great Pasture Road. The existing curb cut will be used to create a 24-ft. wide driveway. This use requires a total of three parking spaces and the revised plan shows five parking spaces. The Regulations require three loading zones of 1,500 sq.ft. and the revised plan shows 1,554 sq.ft. of loading area. He said they had

proposed an access path for the detention basin maintenance but the Engineering Department comments proposed that this should be a formal easement filed on the Land Records. He said Engineering also questioned why they are not proposing to erect a fence around the detention basin, but they do not think it is needed.

Mrs. Emminger pointed out that her staff report dated April 7, 2022 contains a detailed listing of the comments which are still outstanding. These consist of the question of whether the five parking spaces are enough, the snow storage issue, the operation of an illegal landscaping business on the premises, and the fact that significant cutting and filling in the floodplain area has been done without any approvals. She said she had requested and updated topo map be submitted so it can be determined how much illegal site work has been done. She said the floodplain permit would be discussed separately at a later date.

Ethan Draper who identifies himself as the applicant, spoke regarding the parking issue. He said he did his own research by visiting other self-storage businesses and tracking the traffic in and out, as well as the number of parking spaces. He cited many facts and figures which he said demonstrate that the five parking spaces are more than enough for this business.

Chairman Finaldi thanked Mr. Draper for his very thorough presentation and then asked if there was anyone to speak in opposition to this application and there was no one. He added that because this application also requires approval from the Environmental Impact Commission, they cannot yet close the public hearing.

Mrs. Hoffstaetter made a motion to continue the public hearing. Mr. Chiochio seconded the motion and it was passed unanimously by voice vote with four ayes.

OLD BUSINESS FOR DISCUSSION AND POSSIBLE ACTION:

Barbara, Samuel L., Joseph V., & Angelo P. Jr. Scalzo Jr.- Application for Special Exception/Revised Site Plan Approval for Use Generating Over 500 Vehicle Trips Per Day (Grocery Store) in the C-CBD Zone - 33 Crosby St (I13048) in the C-CBD Zone – SE #786.

Chairman Finaldi said they had received a draft resolution of approval from Mrs. Emminger. He asked if there were any questions on it. Mrs. Emminger pointed out condition #5 which states that all of the outstanding comments must be addressed. Mrs. Hoffstaetter made a motion to approve this application per the draft resolution dated April 13, 2022. Mr. Salvagne seconded the motion and it was passed unanimously by voice vote with four ayes.

100 Mill Plain Investors LLC – Application for Revised Special Exception/Revised Site Plan Approval for Conversion of Professional Office Space to Medical Office Space (Dr. Shweta, DDS) in the CA-80 Zone – 100 Mill Plain Road (C14058) – SE #728.

The Commission members discussed this application and all felt this was a simple change of use with no issues. They directed Mrs. Emminger to prepare a resolution of approval for the next meeting.

REFERRAL:

8-24 Referral – April 2022 City Council Agenda Item #13: Request for Sewer Extension for 43, 45A, 45B, 47, & 49 Miry Brook Road (F19008, F19059, F19006, F19005, & F19004).

Mrs. Emminger said the Department is still waiting for some information on this issue. Chairman Finaldi said they would discuss this referral and make a recommendation at the next meeting on May 4, 2022.

NEW BUSINESS:

95 Mill Plain Road LLC – Application for Special Exception/Site Plan Approval for Self Service Storage (Diamond Point Development) in the CA-80 Zone – 95 Mill Plain Road (C14003) – SE #787. Public hearing scheduled for June 1, 2022.

Chairman Finaldi said this application would be on file in the Planning & Zoning office.

OTHER MATTERS:

Chairman Finaldi asked for nominations for Vice Chairman. Mrs. Hoffstaetter made a motion to nominate Mr. Chiocchio to take Mr. Urice's place as Vice-Chairman. Mr. Salvagne seconded the motion. Chairman Finaldi asked if there were any other nominations and there were none. He then took a vote on the motion and it was passed unanimously by voice vote with four ayes (from Mrs. Hoffstaetter, Mr. Salvagne, Chairman Finaldi, and Mr. Chiocchio).

Chairman Finaldi noted that there was nothing listed under Correspondence and listed under For Reference Only were one public hearing scheduled for May 4, 2022 and three floodplain permits.

At 8:20 PM, Mr. Chiocchio made a motion to adjourn. Mrs. Hoffstaetter seconded the motion and it was passed unanimously by voice vote with four ayes.

Respectfully submitted,

JoAnne V. Read
Planning Assistant